

IN THE CIRCUIT COURT OF CRAWFORD COUNTY, ARKANSAS
CIVIL DIVISION

MICHELLE DAVIS

PLAINTIFF

v.

Case No. 17CV-17-97

VAN BUREN SCHOOL DISTRICT

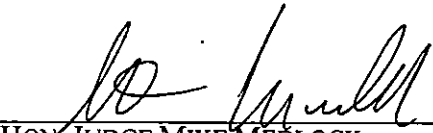
DEFENDANT

FINAL ORDER

COMES NOW ON THIS DAY to be heard the Plaintiff's Motion to Compel and Complaint filed by the Plaintiff, Michelle Davis and the Defendant's Response to the Motion to Compel and Answer to Plaintiff's Complaint. Plaintiff, Michelle Davis, appears in person and with her attorney, Kevin R. Holmes. Defendant, Van Buren School District, appears with its representative and with its attorney, Jay Bequette. Based on a review of the pleadings, the exhibits, argument of attorneys and other matters before this Court, the Court does hereby find as follows:

1. Plaintiff filed this action seeking records from two (2) separate incidents relating to alleged abuse of her special needs son by employees of the Van Buren School District, pursuant to the Freedom of Information Act, A.C.A. §25-19-105.
2. Defendant, Van Buren School District, denied the request, claiming that the personnel records constitute employee evaluation or job performance records, which shall be open for public inspection only upon final administrative resolution of any suspension or termination proceeding at which the records form a basis for the decision to suspend or terminate the employee and if there is a compelling interest in their disclosure.
3. The Court finds that the Plaintiff has not presented sufficient evidence to the Court that would demonstrate that the records requested do not fall within the exemption claimed by the Defendant and that the records are employee evaluation or job performance records pursuant to A.C.A. §25-19-105(c)(1), and therefore Plaintiff's Complaint is hereby dismissed.

IT IS SO ORDERED.



HON. JUDGE MIKE MEDLOCK
CIRCUIT JUDGE, CRAWFORD COUNTY, AR